IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

W. A. DREW EDMONDSON, in his capacity as ATTORNEY GENERAL OF THE STATE OF OKLAHOMA and OKLAHOMA SECRETARY OF THE ENVIRONMENT C. MILES TOLBERT, in his capacity as the TRUSTEE FOR NATURAL RESOURCES FOR THE STATE OF OKLAHOMA,	FILED MAY 18 2006 Phil Lombardi, Clerk U.S. DISTRICT COURT
Plaintiff,)
vs.) o5-) Case No. CV-0329-JOE-SAJ
TYSON FOODS, INC., ET AL.,)
Defendants,)
TYSON FOODS, INC., ET AL.)
Third-Party Plaintiffs,)
vs.)
CITY OF TAHLEQUAH ET AL. Third-Party Defendants.)))

ANSWER OF THIRD-PARTY DEFENDANTS LOUISE SQUYRES D/B/A MX RANCH AND CLAIRE LOUISE WELLS D/B/A MX RANCH TO THIRD PARTY COMPLAINT

COMES NOW Third-Party Defendants, Louise Squyres d/b/a MX Ranch and Claire Louise Wells d/b/a MX Ranch by and through their attorney of record, Monte W. Strout, and for their Answer to the Third-Party Complaint of Tyson Foods. Inc., Tyson Poultry, Inc., Tyson Chicken, Inc., Cobb-Vantress, Inc., George's, Inc., George's Farms, Inc., Peterson Farms, Inc., Simmons Foods, Inc., and Willow Brook Foods, Inc., allege and state:

Page 2 of 3

- 1. These Third-Party Defendants deny each and every material allegation against them as alleged in the Third-Party Complaint, and demand strict proof thereof.
- These Third-Party Defendants deny that the Third-Party Plaintiffs are entitled to recover any portion of a possible judgment against them from these Third-Party Defendants.
- 3. These Third-Party Defendants allege that they should be awarded a judgment against Third-Party Plaintiffs for attorney's fees and costs associated with defending this action.

AFFIRMATIVE DEFENSES

- 1. The Third-Party Complaint fails to state a claim upon which relief can be granted against these Third-Party Defendants.
- 2. These Third-Party Defendants asserts any and all defenses which Third Party Defendants may have against Plaintiff.
- 3. These Third-Party Defendants reserve the right to assert additional defenses upon the completion of discovery.
- 4. These Third-Party Defendants state that any damages as described in Third-Party Plaintiff's Third-Party Complaint are the result of acts or omission committed by the Third-Party Plaintiff.
- These Third-Party Defendants reallege and adopt the arguments made by the State of Oklahoma to stay or strike the Third Party Proceedings.

WHEREFORE Third-Party Defendants, Louise Squyres d/b/a MX Ranch and Claire Louise Wells d/b/a MX Ranch, pray that Third-Party Plaintiffs take nothing

Page 3 of 3

against them by reason of their Third-Party Complaint, that they be awarded their costs

and or all other appropriate relief to which they may be entitled.

BY: Monte W. Strout

209 West Keetoowah Tahlequah, Ok 74464

918-456-1353 / 918-456-7768 fax

ATTORNEY FOR THIRD-PARTY DEFENDANTS LOUISE SQUYRES D/B/A MX RANCH and CLAIRE LOUISE WELLS D/B/A MX RANCH

CERTIFICATE OF SERVICE

I, Monte W. Strout, hereby certify that on this day of May 2006, I mailed a true and correct copy of the above and foregoing document to Douglas Allen Wilson, Melvin David Riggs, Richard T. Garren, Sharon K. Weaver, Riggs Abney Neal Turpen Orbison & Lewis, 502 West 6th Street, Tulsa, OK 74119-1010 AND A. Scott McDaniel, Joyce, Paul & McDaniel PLLC, 1717 South Boulder, Suite 200, Tulsa, OK 74119 AND Robert W. George, Kutack Rock LLP, The Three Sisters Building, 214 West Dickson Street, Fayetteville, AR 72701-5221 AND R. Thomas Lay, Kerr, Irvine, Rhodes 7 Ables, 201 Robert S. Kerr Ave., Suite 600, Oklahoma City, OK 73102 AND Robert P. Redemann, Lawrence W. Zeringue, David C. Senger, Perrine, McGivern, Redemann, Reid, Berry & Taylor PLLC, P.O. Box 1710, Tulsa, OK 74101-1710 AND George W. Owens, Randall E. Rose, The Owens Law Firm, P.C., 234 West 13th Street, Tulsa, OK 74119 AND John R. Elrod, Vicki Bronson, Conner & Winters P.C., 100 West Center Street, Suite 200, Fayetteville, AR 72701.

Monte W. Strout